

MICHAEL A. LAURENSEN (SBN: 190023)
 GORDON & REES LLP
 275 Battery Street, Suite 2000
 San Francisco, CA 94111
 Telephone: (415) 986-5900
 Facsimile: (415) 986-8054

Attorneys for Defendant
 REGENTS OF THE UNIVERSITY
 OF CALIFORNIA and SUSAN WILLATS

FELIX TORRES, JR.
 P.O. Box 8605
 Laguna Hills, CA 92654
 Telephone: (650) 906-1346

Plaintiff, Pro Se

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

FELIX TORRES, JR.,)	CASE NO. C08-00857 JW
)	
Plaintiff,)	JOINT CASE MANAGEMENT
)	STATEMENT AND PROPOSED
vs.)	ORDER
)	
REGENTS OF THE UNIVERSITY OF)	Date: June 9, 2008
CALIFORNIA; UCSC ADA COMPLIANCE)	Time: 10:00 a.m.
OFFICER SUSAN WILLATS, individually and)	Courtroom: 8, 4 th Floor
in official capacity; and DOES 1-10, Inclusive,)	Judge: James Ware
)	
Defendants.)	

Plaintiff FELIX TORRES, JR. ("Plaintiff"), and Defendants REGENTS OF THE UNIVERSITY OF CALIFORNIA and UCSC ADA COMPLIANCE OFFICER SUSAN WILLATS ("Defendants") hereby jointly submit this Case Management Statement and Proposed Order and request the Court to adopt it as its Case Management Order in this case.

DESCRIPTION OF THE CASE

1. UNDERLYING EVENTS

Plaintiff Felix Torres alleges that he suffers from Myasthenia Gravis, a neurological illness, and is considered an individual with a disability under the ADA.

1 UC Santa Cruz ("UCSC") has a "no dogs" policy which prohibits dogs on campus, with
2 certain exceptions. One of those exceptions is animals assisting persons with disabilities.

3 On May 27, 2007, while on campus with his dog "Cookie," Plaintiff was approached by
4 UCSC Police Officer Gary McConnell and asked about his dog. Plaintiff responded that he had
5 prior permission to have the dog on campus and that he was disabled and the dog helped him go
6 up and down hills. Due to the dog's small size, Officer McConnell asked plaintiff for proof of
7 permission. Plaintiff contends that Officer McConnell also disputed plaintiff's assertion that he
8 was disabled. When plaintiff indicated that he could not provide proof, Officer McConnell cited
9 Plaintiff for having an unauthorized dog on campus. Plaintiff was ultimately fined \$96.00 in
10 Santa Cruz Superior Traffic Court for the violation.

11 **2. FACTUAL ISSUES IN DISPUTE**

12 Whether plaintiff's dog qualifies as a trained service animal under the ADA.

13 Whether plaintiff had prior verbal permission to have his dog on campus before the
14 citation was issued.

15 Whether plaintiff was given verbal permission to have his dog on campus after the
16 citation was issued but before the fine was imposed.

17 **3. LEGAL ISSUES IN DISPUTE**

18 Plaintiff admits that UCSC's "no dogs" policy complies with the ADA. However, he
19 questions the need for the policy at all. Defendant contends that whether its policy is "good" or
20 "necessary" is beyond the scope of this action provided the policy complies with the ADA, as
21 plaintiff admits.

22 **4. OTHER ISSUES WHICH REMAIN UNRESOLVED**

23 None.

24 **5. UNSERVED PARTIES**

25 None.

26 **6. ADDITIONAL PARTIES**

27 None.

7. **CONSENT TO MAGISTRATE JUDGE**

Plaintiff does not consent to a Magistrate.

ALTERNATIVE DISPUTE RESOLUTION

8. **ADR PROCESS**

The parties are willing to participate in Early Neutral Evaluation (ENE).

9. **OTHER INFORMATION**

None.

DISCLOSURES

10. **DISCLOSURES**

The parties intend to make timely Initial Disclosures.

11. **DISCOVERY PLAN**

The parties intend to conduct written discovery and depositions within F.R.C.P. limits.

TRIAL SCHEDULE

12. **TRIAL DATE**

The parties propose the following dates:

Non-Expert Discovery Cutoff	October 2008
Designation of Experts	November 2008
Expert Discovery Cutoff	December 2008
Dispositive Motions	January 2009
Pretrial Conference	February 2009
Trial Date	February 2009

13. **TRIAL LENGTH**

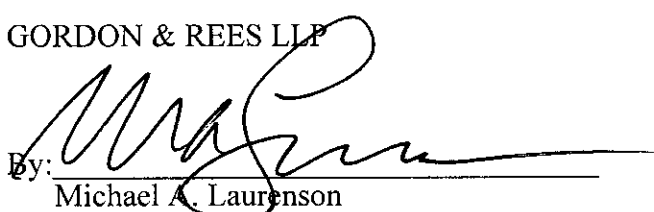
The parties anticipate trial in this matter will take two (2) days.

Dated: MAY 21, 2008

FELIX TORRES, JR.
Felix Torres, Jr.
Plaintiff, Pro Se

Dated: 5/22/08

GORDON & REES LLP

By: 
Michael A. Laurensen
Attorney for Defendants
REGENTS OF THE UNIVERSITY
OF CALIFORNIA AND SUSAN WILLATS

CASE MANAGEMENT ORDER

The Joint Case Management Statement and Proposed Order is hereby adopted by the Court as the Case Management Order for the case and the parties are ordered to comply with this Order. In addition the Court orders:

Dated: _____

UNITED STATES DISTRICT JUDGE